

REMARKS/ARGUMENTS

The Examiner states that the inventions of Groups I-III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons: a special technical feature is the surface plasmon resonance sensor chip of Group I. However, U.S. Patent 5,478,755 discloses the surface plasmon resonance sensor chip of Group I, i.e., a metal film, a fixing layer on the metal film and a layer of antibodies on the fixing layer.

However, it can be seen that the sensor chip of the present claims differs from the sensor chip of the reference, because the reference sensor chip does not contain one or more antibodies against one or more antigens selected from a substance having a steroid skeleton, a substance for maintaining, promoting or inhibiting the physiological action of a steroid hormone, a substance for maintaining, promoting or inhibiting the physiological action of a sex hormone, and an endocrine disrupter (excluding a triazine compound).

Further, in Annex B, part 2, Examples Concerning Unity Of Invention under I. Claims In Different Categories the examples clearly show unity of invention between the claims in Groups I, II and III, because the special technical feature common to all the claims is the particular surface plasmon resonance sensor chip of the claims of Group I. Therefore, because unity of invention exists between all the groups, it is requested that the claims be rejoined and examined in the present application.

Application No. 09/622,896
Reply to Restriction Requirement of September 27, 2004

Accordingly, for the reasons presented above, it is submitted that the Patent and Trademark Office has failed to meet the burden necessary to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,

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